

CHAPTER 28-02.1-13
DOCUMENTS USED TO CONVEY REAL PROPERTY OR ANY INTEREST
THEREIN

Section

28-02.1-13-01

Survey Requirements for Preparation of Legal Descriptions
and Conveyance of Property

28-02.1-13-01. Survey requirements for preparation of legal descriptions and conveyance of property. Any registrant preparing a description, including without limitation a legal, property, or boundary description for, or assisting in the filing of, a document that will, or may, be used to convey real property or any interest therein, including without limitation an auditor's plat, outlot, deed, or conveyance of easements or right of ways, must conduct a survey of the property being conveyed and comply with all the requirements related thereto contained in North Dakota Century Code sections 40-50.1-01 and 40-50.1-02 provided that descriptions used in the conveyance of right of ways or easements may be prepared if the right of ways or easements are temporary. In addition, descriptions used in conveyances of right of ways and easements may also be prepared without the setting of all exterior monuments if:

1. The right of ways or easements are traceable by using established monuments;
2. Exterior monuments are set wherever there is a change of width to the right of ways or easements;
3. Exterior monuments are set wherever there is a change in direction of the right of ways or easements other than changes of direction at section corners; and
4. Monuments are set at intersections of right of ways or easements with section lines.

History: Effective October 1, 2004.

General Authority: NDCC 43-19.1-08

Law Implemented: NDCC 43-19.1-01, 43-19.1-08